

JC14 Rec'd PCN TO 06 MAY 2002

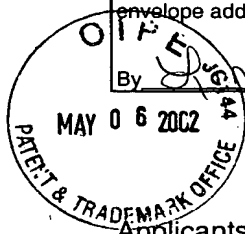
\$ R-T

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Arlington, VA 22202, on the date appearing below.  
ELI LILLY AND COMPANY

By Gerida M. Dunbar

Date May 1, 2002



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : BRINER, Karin, et al.

Serial No. : 10/031,311

Filed : 07/21/2000

For : SEROTONERGIC BENZOTHIOPHENES

Docket No. : X- 12591

**TRANSMITTAL OF DECLARATION UNDER 37 C.F.R. 1.51 (a)(1)(ii)**  
**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Assistant Commissioner for Patents  
Box Missing Parts  
Arlington, VA 22202

Sir:

This is in response to a "Notice to File Missing Parts of Application" dated April 01, 2002, noting the absence of a declaration from the papers filed with the above-identified application.

Enclosed herewith are: 1) a copy of the Notice and 2) a Declaration under 37 C.F.R. 1.51(a)(1)(ii) by the Applicant(s) in this application.

Please charge Deposit Account No. 05-0840 in the amount of \$130 for the surcharge required by §1.16(e). The Assistant Commissioner is hereby authorized to charge any additional fees which may be required by this Response, or credit any overpayment, to Deposit Account No. 05-0840. An original and two copies of this paper are enclosed.

Respectfully submitted,

Robert Craig Tucker  
Attorney for Applicants  
Registration No. 45,165  
Phone: 317-433-9829

05/10/2002 LLANDGRA 00000028 050840 10031311

01 FC:154 130.00 CH

Eli Lilly and Company  
Patent Division/RCT  
P.O. Box 6288  
Indianapolis, Indiana 46206-6288

April 30, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PC1  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO	FIRST NAMED APPLICANT	ATTY DOCKET NO
10/031,311	Karin Briner	X-12591

25885  
 ELI LILLY AND COMPANY  
 PATENT DIVISION  
 P.O. BOX 6288  
 INDIANAPOLIS, IN 46206-6288



INTERNATIONAL APPLICATION NO	
PCT/US00/17864	
I.A. FILING DATE	PRIORITY DATE
07/21/2000	07/29/1999

CONFIRMATION NO. 5929  
 371 FORMALITIES LETTER



\*OC000000007754907\*

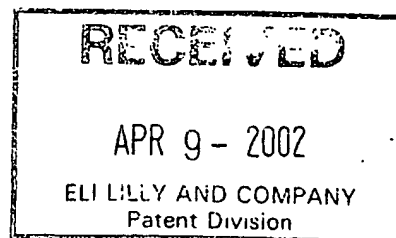
Date Mailed: 04/01/2002

due 6-1-2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Assignee Statement
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

## PART 1 - ATTORNEY/APPLICANT COPY

U S APPLICATION NUMBER NO	INTERNATIONAL APPLICATION NO	ATTY DOCKET NO
10/031,311	PCT/US00/17864	X-12591

FORM PCT/DO/EO/905 (371 Formalities Notice)



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov



Bib Data Sheet

CONFIRMATION NO. 5929

<b>SERIAL NUMBER</b> 10/031,311	<b>FILING DATE</b> 05/06/2002 <b>RULE</b>	<b>CLASS</b> 546	<b>GROUP ART UNIT</b> 1625	<b>ATTORNEY DOCKET NO.</b> X-12591
------------------------------------	---	---------------------	-------------------------------	---------------------------------------

**APPLICANTS**

Karin Briner, Indianapolis, IN;  
Timothy Burkholder, Carmel, IN;  
Richard Gerard Conway, Carmel, IN;  
Brian Eugene Cunningham, Martinsville, IN;  
Don Richard Finley, Greenwood, IN;  
Lawrence Joseph Heinz, Pittsboro, IN;  
Cynthia Darshini Jesudason, Indianapolis, IN;  
Daniel Timothy Kohlman, Camby, IN;  
Sidney Xi Liang, Hamden, CT;  
Yao-Chang Xu, Fishers, IN;

**\*\* CONTINUING DATA \*\*\*\*\***

THIS APPLICATION IS A 371 OF PCT/US00/17864 07/21/2000  
WHICH CLAIMS BENEFIT OF 60/146,185 07/29/1999  
AND CLAIMS BENEFIT OF 60/172,784 12/20/1999

**\*\* FOREIGN APPLICATIONS \*\*\*\*\***

Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no	<b>STATE OR COUNTRY</b> IN	<b>SHEETS DRAWING</b>	<b>TOTAL CLAIMS</b> 19	<b>INDEPENDENT CLAIMS</b> 5
35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance				
Verified and Acknowledged Examiner's Signature _____ Initials _____				

**ADDRESS**

25885

**TITLE**

Serotonergic benzothienophenes

<b>FILING FEE RECEIVED</b> 1188	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees
		<input type="checkbox"/> 1.16 Fees ( Filing )
		<input type="checkbox"/> 1.17 Fees ( Processing Ext. of time )
		<input type="checkbox"/> 1.18 Fees ( Issue )
		<input type="checkbox"/> Other _____
		<input type="checkbox"/> Credit